

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**SHELIA DUPREE AND
DENNIS DUPREE**

PLAINTIFFS

V.

CAUSE NO: 1:06CV162-SA

**BARNHILLS BUFFET, INC. AND
SPIRIT FINANCE CORPORATION**

DEFENDANTS

ORDER GRANTING UNOPPOSED MOTION FOR PARTIAL SUMMARY JUDGMENT

This cause comes on for consideration on Defendants' Unopposed Motion for Partial Summary Judgment. The Court, having reviewed submitted briefs and relevant law, is of the opinion Defendants' Motion for Partial Summary Judgment shall be **GRANTED**. The Court finds the following:

On November 15, 2007, Defendants filed a Motion for Partial Summary Judgment [40] as to Punitive Damages. Plaintiffs concede that no evidence exists in order to prove punitive damages. Accordingly, Defendants' Motion for Partial Summary Judgment is **GRANTED**.

SO ORDERED, this the 5th day of June, 2008.

/s/ Sharion Aycock
U.S. DISTRICT COURT JUDGE